THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION Nos.17528 & 17558 OF 2005

DATED:17.08.2005

WRIT PETITION No.17528 OF 2005

Between:

G.Pydi Raju, S/o.late Sri Thatayyalu,

Aged about 42 years, R/o.FF1, Sai Kiran

Apartments, Brindavan Colony, Labbipet,

Vijayawada-10.

……PETITIONER

AND

The Executive Director, SOB, Head Quarters Office,

Hindustan Bhawan, 8-Shoorji Vallabha Das marg,

Hindustan Petroleum Corporation, Mumbai-400 001.

and another.

……RESPONDENTS

WRIT PETITION No.17558 OF 2005

Between:

M.Narasinga Rao, S/o.Appalakonda,

Aged about 45 years, R/o.Flat No.303, G.K. Towers,

Patamata Lanka, Vijayawada-520 010.

…..PETITIONER

AND

The Executive Director, SOB, Head Quarters Office,

Hindustan Bhawan, 8-Shoorji Vallabha Das marg,

Hindustan Petroleum Corporation, Mumbai-400 001.

and another.

……RESPONDENTS

THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION Nos.17528 & 17558 OF 2005

COMMON ORDER

These two Writ Petitions are filed by the petitioners aggrieved by the action of the respondents in suspending the petitioners as well as charge sheeting them for the alleged illegalities/offences committed by them.

According to the petitioners, when they were charge sheeted for the allegations made in the charge sheet, they filed elaborate explanations on 14.12.2004 pointing out that the respondents failed to supply document Nos. 1 to 42 mentioned in their letter, dated 19.11.2004. Therefore, the main grievance of the petitioner is that the relevant documents are not supplied and therefore, the said denial of documents would amount to denial of reasonable opportunity. Therefore, sought for appropriate orders.

A counter affidavit is filed on behalf of the respondents disputing and denying the allegations made by the petitioners.

At the time of hearing, the learned counsel for the respondents stated that four employees of the respondent-Corporation were charge sheeted and two of the employees, who are charge sheeted, have approached the enquiry officer for supply of necessary documents and in fact, the enquiry officer had complied with their

request supplying the required copies. Now the grievance of the petitioners is that they were not supplied with the copies as are sought for by them. It is stated that if the petitioners approaches the enquiry officer, the enquiry officer is ready and willing to supply the documents that are sought for by the petitioners. Therefore, sought for a direction to the petitioners to approach the enquiry officer and on approaching, the enquiry officer may also be directed to furnish the copies as are sought for by the petitioners.

Heard both sides and considered the material on record.

The grievance of the petitioners is that they were not supplied with the required copies of the documents, which are relevant for the purpose of filing their statements or explanations to the charge sheet as well as to proceed with the enquiry proposed to be conducted against them as per the charges levelled in the charge sheet. As it is conceded by the learned standing counsel for the respondents that the petitioners would be provided with the copies if they approaches the enquiry officer as similar request was already complied with, with reference to the two other similarly placed employees, the petitioners are directed to approach the enquiry officer by making proper applications within two weeks from today, requesting for supply of the copies and on such applications are being filed, the enquiry officer is directed to consider the relevancy of the documents and furnish the copies as sought for by the petitioners. Till the supply of the said copies, the enquiry officer is directed not to proceed with the enquiry.

With the above directions, the Writ Petitions are disposed of. No costs.

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S. ANANDA REDDY,J

17TH AUGUST 2005

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